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6 Attorney for Plaintiff,
7 HUNG VANNGO

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF ILLINOIS**

10 HUNG VANNGO,

11 Plaintiff,

12 v.

13 MNK REALTY PROFESSIONALS LLC,
14 and DOES 1 through 10 inclusive,

15 Defendants.

Case No. **1:25-cv-2954**

COMPLAINT FOR COPYRIGHT
INFRINGEMENT

16 Plaintiff, Hung Vanngo, for his Complaint against MNK Realty Professionals
17 LLC and DOES 1 through 10 inclusive alleges as follows:

18 **JURISDICTION AND VENUE**

19 1. This is a civil action seeking damages and injunctive relief for
20 copyright infringement under the Copyright Act of the United States, 17 U.S.C.
21 § 101 *et seq.*

22 2. This Court has subject matter jurisdiction over Plaintiff's claim
23 for copyright infringement pursuant to 28 U.S.C. § 1331 and 28 U.S.C. §
24 1338(a).

1 alleged were proximately caused by the conduct of said Defendants. Plaintiff will
2 seek to amend the complaint when the names and capacities of such fictitiously
3 named Defendants are ascertained. As alleged herein, “Defendant” shall mean all
4 named Defendants and all fictitiously named Defendants.
5

6 8. For the purposes of this Complaint, unless otherwise indicated,
7 “Defendant” includes all agents, employees, officers, members, directors, heirs,
8 successors, assigns, principals, trustees, sureties, subrogates, representatives, and
9 insurers of the Defendants named in this caption.
10

11 **FACTUAL ALLEGATIONS**

12 9. Hung Vango is a highly successful and popular celebrity makeup artist.
13

14 10. Vango’s client list includes actors, musicians, and other major
15 celebrities such as Selena Gomez, Emily Ratajowski, Jennifer Lawrence, Julianne
16 Moore, Cara Delevingne, and Bella Hadid.
17

18 11. As part of documenting and promoting his work, Vango captures
19 photographs of his clients and publishes them to his social media accounts.
20

21 12. Hung Vango is the sole author and exclusive rights holder to a
22 photograph of Hailey Bieber sporting a natural makeup look, looking over her
23 shoulder and directly into the camera.
24

25 13. Attached hereto as Exhibit A is a true and correct copy of the Bieber
26 Photograph.
27
28

1 14. Hung Vanngo registered the Bieber Photo with the United States
2 Copyright Office under Registration Number VA 2-240-148 with an Effective Date
3 of Registration of January 26, 2021.

4 15. Attached hereto as Exhibit B is a true and correct copy of the
5 Registration Certificate for the Bieber Photograph.

6 16. According to their website, MNK is a real estate brokerage firm. *See*
7
8 *generally* www.mnkrealty.com.

9 17. MNK manages, operates, and controls the Facebook Account “MNK
10 Realty Professionals LLC” www.facebook.com/mnkrealty (“Defendant’s Facebook
11 Account”).
12

13 18. On information and belief, Defendant’s Facebook Account generates
14 content in order to promote Defendant’s products and services, attract social media
15 followers, and user traffic to the Defendant’s main webpage, and generate profit and
16 revenue for the company and its owner(s).
17

18 19. At all relevant times, Defendant’s Facebook Account was readily
19 accessible to the general public throughout Illinois, the United States, and the world.
20

21 20. On or about December 30, 2023, Hung Vanngo discovered his Bieber
22 Photograph copied and published on Defendant’s Facebook Account with the caption
23 “Me Before and After getting my home value report done by MNK Realty! Just like
24 makeup transforms a look, our expert insights can transform your understanding of
25 your home’s worth. From ‘Hmm, I wonder’ to ‘Wow, I didn’t know that!’ – Let us
26 uncover the hidden beauty in your property’s value” (“Infringing Post”).
27
28

1 21. Attached hereto as Exhibit C is a true and correct screenshot from
2 Defendant's Facebook Account showing the Infringing Post.

3 22. Hung Vanngo has never at any point granted MNK a license or other
4 permission to copy, display, distribute, or otherwise use the Bieber Photograph on
5 Defendant's Facebook Account or any other platform.
6

7 23. MNK, including its employees, agents, contractors, or others over
8 whom it has responsibility and control, copied and uploaded the Bieber Photograph
9 to Defendant's Facebook Account without Hung Vanngo's consent or authorization.
10

11 24. Soon after discovering the Defendant's infringement of the Bieber
12 Photograph, Hung Vanngo, through counsel, reached out to the Defendant to have
13 the Infringing Post removed and to attempt to resolve this matter without court
14 intervention, but the parties were unable to come to an agreement.
15

16 25. Hung Vanngo has never at any point given MNK a license or other
17 permission to display, copy, distribute or otherwise use the Bieber Photograph in the
18 Infringing Posts on Defendant's Facebook Account or on any other website or
19 platform.
20
21

22 26. Vanngo is informed and believes that the purpose of the use of the
23 Bieber Photograph on Defendant's Facebook was to promote and encourage use of
24 the services that Defendant was recommending by providing a high-quality,
25 professionally produced photograph to assist the viewer in visualizing the results that
26 could be achieved by using the recommended services, as well as to assist with
27 getting traffic to Defendant's website and growing Defendant's client base.
28

1 27. Vanngo is informed and believes Defendant (including its employees,
2 agents, contractors or others over whom it has responsibility and control) used,
3 displayed, published, and otherwise held out to the public Vanngo's original and
4 unique Bieber Photograph for commercial benefit in order to acquire a direct
5 financial benefit, through revenue from the sales of the recommended services and
6 by encouraging users to visit its commercial website to utilize Defendant's services.
7

8 28. MNK (including its employees, agents, contractors, or others over
9 whom it has responsibility and control) copied and uploaded the Bieber Photograph
10 to Defendant's Facebook Account without Hung Vanngo's consent.
11

12 29. On information and belief, Defendant's use of the Bieber Photograph
13 was deliberate and willful because it knew or should have known that it did not
14 purchase a license to use the Bieber Photograph on Defendant's Facebook Account
15 or in any other way.
16

17
18 **CAUSE OF ACTION**
19 **COPYRIGHT INFRINGEMENT**
20 **17 U.S.C. § 101 *et seq***

21 30. Plaintiff incorporates by reference all the above paragraphs of this
22 Complaint as though fully stated herein.

23 31. Plaintiff did not consent to, authorize, permit, or allow in any manner
24 the said use of Plaintiff's unique and original Bieber Photograph.

25 32. Defendant(s)—including its employees, agents, contractors or others
26 over whom it has responsibility and control—copied and uploaded the Bieber
27 Photograph to Defendant's Facebook Account without Hung Vanngo's consent or
28

1 authorization.

2 33. Plaintiff is informed and believes and thereon alleges that Defendant
3 willfully infringed upon Plaintiff's copyrighted Bieber Photograph in violation of
4 Title 17 of the U.S. Code, in that they used, copied, published, communicated, posted,
5 publicized, and otherwise held out to the public for commercial benefit, the original
6 and unique Bieber Photograph of the Plaintiff without Plaintiff's consent or authority,
7 by using it in the Infringing Posts on Defendant's Facebook.
8
9

10 34. Plaintiff is informed and believes and thereon alleges that Defendant
11 willfully infringed upon his rights in his copyrighted Bieber Photograph in violation
12 of Title 17 of the U.S. Code because, inter alia, Defendants knew or should have
13 known that they did not have a legitimate license to use the Bieber Photograph.
14

15 35. As a result of Defendant's violations of Title 17 of the U.S. Code,
16 Plaintiff is entitled to any actual damages pursuant to 17 U.S.C. §504(b), or statutory
17 damages pursuant to 17 U.S.C. § 504(c).
18

19 36. As a result of the Defendant's violations of Title 17 of the U.S. Code,
20 the court in its discretion may allow the recovery of full costs as well as reasonable
21 attorney's fees and costs pursuant to 17 U.S.C § 505 from Defendant.
22

23 37. Plaintiff is also entitled to injunctive relief to prevent or restrain
24 infringement of his copyright pursuant to 17 U.S.C. § 502.
25

26 **PRAYER FOR RELIEF**

27
28 **WHEREFORE**, Plaintiff prays for judgment against Defendant as follows:

- For a finding that Defendant infringed Plaintiff's copyright interest in the Bieber Photograph by copying, displaying, and distributing it without a license or consent;
- For an award of actual damages and disgorgement of all of profits attributable to the infringement as provided by 17 U.S.C. § 504 in an amount to be proven or, in the alternative, at Plaintiff's election, an award for statutory damages against Defendant in an amount pursuant to 17 U.S.C. § 504(c), whichever is larger;
- For an injunction preventing Defendant from further infringement of all copyrighted works of the Plaintiff pursuant to 17 U.S.C. § 502;
- For costs of litigation and reasonable attorney's fees against Defendant pursuant to 17 U.S.C. § 505;
- For prejudgment interest as permitted by law; and
- For any other relief the Court deems just and proper.

Dated: **March 20, 2025**

Respectfully submitted,

/s/ Mathew K. Higbee
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DEMAND FOR JURY TRIAL

Plaintiff Hung Vanngo hereby demands a trial by jury in the above matter.

Dated: **March 20, 2025**

Respectfully submitted,

/s/ Mathew K. Higbee
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